

**ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD**

1740 W. ADAMS ST., SUITE 4600, PHOENIX, ARIZONA 85007

PHONE (602) 364-1PET (1738) FAX (602) 364-1039

VETBOARD.AZ.GOV

**COMPLAINT INVESTIGATION FORM**

*If there is an issue with more than one veterinarian please file a separate Complaint Investigation Form for each veterinarian*

PLEASE PRINT OR TYPE

**FOR OFFICE USE ONLY**

Date Received: Sept. 16, 2019 Case Number: 20-22

**A. THIS COMPLAINT IS FILED AGAINST THE FOLLOWING:**

Name of Veterinarian/CVT: ANDREW CARLTON 1686

Premise Name: SABUARO VISTA VETERINARY

Premise Address: 333 W. COOL DR

City: TUCSON State: AZ Zip Code: 85704

Telephone: (520) 297-3313

**B. INFORMATION REGARDING THE INDIVIDUAL FILING COMPLAINT\*:**

Name: SHARON : CARL WILLIAMS

Address: [REDACTED]

City: [REDACTED] State: [REDACTED] Zip Code: [REDACTED]

Home Telephone: [REDACTED] Cell Telephone: [REDACTED]

\*STATE LAW REQUIRES WE HAVE TO DISCLOSE YOUR NAME UNLESS WE CAN SHOW THAT DISCLOSURE WILL RESULT IN SUBSTANTIAL HARM TO YOU, SOMEONE ELSE OR THE PUBLIC PER A.R.S. § 41-1010. IF YOU HAVE REASON TO BELIEVE THAT SUBSTANTIAL HARM WILL RESULT IN DISCLOSURE OF YOUR NAME PLEASE PROVIDE COPIES OF RESTRAINING ORDERS OR OTHER DOCUMENTATION.

RECEIVED

SEP 16 2019

BY:

**C. PATIENT INFORMATION (1):**

Name: SASSY  
Breed/Species: SHIH TZU  
Age: 7 Sex: F Color: BLACK / WHITE

**PATIENT INFORMATION (2):**

Name: N/A  
Breed/Species: \_\_\_\_\_  
Age: \_\_\_\_\_ Sex: \_\_\_\_\_ Color: \_\_\_\_\_

**D. VETERINARIANS WHO HAVE PROVIDED CARE TO THIS PET FOR THIS ISSUE:**

Please provide the name, address and phone number for each veterinarian.

1) ANDREW CARLTON  
SAHUMARO VISTA VETERINARY  
333 W. COOL DR  
TUCSON AZ. 85704  
(520) 297-3313

2) PUSCH RIDGE PET CLINIC  
12142 N. RANCHO VISTOSO BLVD  
GRO VALLEY, AZ 85255  
SUITE B100  
(520) 818-3313

**E. WITNESS INFORMATION:**

Please provide the name, address and phone number of each witness that has direct knowledge regarding this case.

NANCY KLAUTTER

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Attestation of Person Requesting Investigation**

By signing this form, I declare that the information contained herein is true and accurate to the best of my knowledge. Further, I authorize the release of any and all medical records or information necessary to complete the investigation of this case.

Signature: Carl E Williams

Date: 9/14/19

Carl & Sharon Williams

37523 S. Spoon Dr.

Tucson Arizona, 85739

Sept. 14, 2019

Arizona State Veterinary Medical Examining Board

1740 W. Adams St. Suite 4600

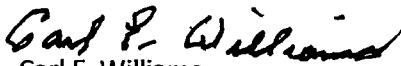
Phoenix, Arizona 85007

Memo on Claim for Consideration with Sahuaro Vista Veterinary

We had are Shih Tzu, Sassy, under care of Dr. Carlton for same condition March 2019 – July 2019. Over the numerous visits resulting in charge approaching \$1000.00 her condition was not solved. Each visit resulted in different prognoses, care plan and more fees. All of these visits did not solve our Sassy problem (Sever red rash on stomach areas). After all these visits we have now switch Vet's and Sassy is being treated by Pusch Ridge Pet Clinic. This 1<sup>st</sup> visit with Pusch Ridge, 8/29/19, resulted in completely different care plan and another \$265.46 bill. Hopefully this new approach will cure our Sassy problem.

Requested action: We strongly feel that Dr. Carlton, Sahuaro Vista Veterinary, approaches for care were not effective and suggest Shotgun approach to care of our Sassy. We feel Dr. Carlton should be held accountable for ineffective care and we should receive some reimbursement of our approximate \$1000.00.

Respectively submitted

  
Carl E. Williams



## Sahuaro Vista Veterinary Clinic

333 W Cool Dr.  
Oro Valley, AZ 85704  
Tel: (520) 297-3313  
Sahuarovistavet.com



October 11, 2019

### CONFIDENTIAL

Tracy A. Riendeau, CVT  
Arizona State Veterinary Medical Examining Board  
1740 W Adams St., Suite 4600  
Phoenix, Arizona 85007

Re: Case # 20-22

Dear Ms. Riendeau and Members of the Board,

Pursuant to the Board's request, please allow me to provide you with my narrative response to the allegation in this matter. I appreciate being offered the opportunity to submit this explanation and for granting me additional time to respond.

As you know, I am the Managing Veterinarian of the Sahuaro Vista Veterinary Clinic. I was involved in the care and treatment of Sassy the Shih Tzu for some of the time period complained of, March 2019 to July 2019. The allegations against me and my clinic include that over the course of treatment of Sassy, we provided differing prognoses and care plans, which did not solve Sassy's skin problems. I am confident that after review of the relevant medical records/invoices, the written statement of fellow veterinarian Dr. Rachel Temkin, and the following narrative response, the Board will find we provided reasonable and appropriate care and treatment to Sassy.

I first saw Sassy on March 18, 2019 for annual prophylactic care. The Owners were also concerned about red, itchy skin on Sassy's under belly, which she had been scratching. Sassy's left eye also had a scratch and was weepy. Upon examination, I noted that Sassy's under belly was red and sore. I ordered Apoquel 3.6 mg, one (1) tab per day to treat Sassy's itching/skin condition. The Owners were to follow-up with any concerns.



## Sahuaro Vista Veterinary Clinic

333 W Cool Dr.  
Oro Valley, AZ 85704  
Tel: (520) 297-3313  
Sahuarovistavet.com



On March 25, 2019, I saw Sassy for a re-check. Per the Owners, Sassy was doing a lot better with less scratching. As such, I ordered that they continue the current Apoquel therapy as it was reported to have been effective.

I next saw Sassy on April 4, 2019 for a re-check. The Owner's reported that Sassy continued to itch and were concerned because they were going out of town. Given the persistence of Sassy's skin problems, I prescribed Cytopoint injections as an additional therapy to see if the skin issue resolved. I informed the Owners that, upon their return, we would increase Sassy's Apoquel to one (1) tab twice a day if her skin problem persisted.

I did not provide any care or treatment to Sassy after April 4, 2019. Sassy's follow-up care was provided by Dr. Rachel Temkin on the following dates: April 11, 2019, April 15, 2019, April 29, 2019 and July 20, 2019. Attached with the response to the Board's request for information is Dr. Temkin's statement regarding her care and treatment of Sassy.

I am confident that my examination, care and treatment of Sassy, as described above, were reasonable and appropriate and within the standard of care for a veterinarian. I am also confident that the care and treatment provided by Dr. Temkin at our clinic was also reasonable and appropriate and within the standard of care. The patient Sassy was seen numerous times for skin concerns and was treated correctly for each issue brought forward during the examinations. The response to treatment as described by the Owners, and as observed during the examinations, was documented and influenced the course of treatment. We also provided the Owners with multiple recommendations for further diagnosis and treatment, including allergy testing, referral to a dermatologist and a diet trial. However, for whatever reason, the Owners did not heed these recommendations.

Furthermore, upon information and belief, the witness whom the Owners name, Nancy Klawitter, was not present for any of Sassy's examinations performed at our clinic. As such, I am not sure what relevant information she may provide regarding the allegations in the complaint.



## Sahuaro Vista Veterinary Clinic

333 W Cool Dr.  
Oro Valley, AZ 85704  
Tel: (520) 297-3313  
Sahuarovistavet.com



I am proud of the level of care we provided Sassy and all of our patients. We strive at our clinic to perform this care in the most cost effective way possible while adhering to our AAHA standards.

I hope the above adequately responds to your request for information. If there is anything else I can provide you with, please let me know.

Very truly yours,

Andrew Carlton, DVM  
Managing Veterinarian  
Sahuaro Vista Vet Clinic.



**ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD**

1740 W. ADAMS STREET, STE. 4600, PHOENIX, ARIZONA 85007

PHONE (602) 364-1-PET (1738) • FAX (602) 364-1039

VETBOARD.AZ.GOV

**INVESTIGATIVE COMMITTEE REPORT**

**TO:** Arizona State Veterinary Medical Examining Board

**FROM:** PM Investigative Committee: Adam Almaraz - Chair  
Amrit Rai, DVM  
Cameron Dow, DVM - **Absent**  
William Hamilton  
Brian Sidaway, DVM

**STAFF PRESENT:** Tracy A. Riendeau, CVT – Investigations  
Dawn Halbrook – Compliance Specialist  
Mary Williams – Assistant Attorney General

**RE:** Case: 20-22  
Complainant(s): Carl and Sharon Williams  
Respondent(s): Andrew Carlton, DVM (License: 1686)

**SUMMARY:**

Complaint Received at Board Office: 9/16/19  
Committee Discussion: 12/3/19  
Board IIR: 1/15/20

**APPLICABLE STATUTES AND RULES:**

Laws as Amended August 2018  
(Lime Green); Rules as Revised  
September 2013 (Yellow)

"Sassy," a 7-year-old female Shih-Tzu was presented to Respondent for skin issues. Apoquel therapy was provided and the dog returned for rechecks. The dog's skin issues persisted and Cytopoint injections were started.

The dog's skin issues were not resolved and atopy and food allergies were discussed as well as referral for allergy testing.

Complainants were dissatisfied with Respondent's treatment of the dog and sought out a second opinion.

**Complainants were noticed and appeared telephonically.**

**Respondent was noticed and appeared with Counsel, Rita Bustos**

**The Committee reviewed medical records, testimony, and other documentation as described below:**

- Complainant(s) narrative: *Carl and Sharon Williams*
- Respondent(s) narrative/medical record: *Andrew Carlton, DVM*
- Consulting Veterinarian(s) narrative/medical records: *Timothy Halstead, DVM – Pusch Ridge*
- Witness(es) Statement: *Nancy Klawitter*

**PROPOSED 'FINDINGS of FACT':**

1. On March 18, 2019, the dog was presented to Respondent due to itchy skin and a weepy left eye. The dog's belly was red and sore and the left eye had a scratch, according to Complainants. Upon exam, the dog had a weight = 15.20 pounds, a temperature = 100.7 degrees, a heart rate = 110bpm and a respiration rate = 22rpm. Respondent noted the dog's skin was erythematous and pustules were present. The dog's eyes were documented as normal. The dog was discharged with the following:

- a. Apoquel 3.6mg, 30 tablets; give 1 tablet orally once a day; and
- b. Optimune 0.2%, 3.5mg tube; apply small amount into both eyes every 12 hours.

2. On March 25, 2019, the dog was presented to Respondent for a recheck. Complainants reported that the dog was scratching less. Upon exam, the dog had a weight = 14.8 pounds, a temperature = 99.9 degrees, a pulse rate = 120bpm and a respiration rate = 30rpm. The dog's skin issues were noted as resolved. Respondent instructed Complainants to continue treatment as it was reported as being effective.

3. On April 4, 2019, the dog was presented to Respondent for a recheck. Complainants reported that the dog was still itchy and they were concerned because they were going out of town and would have a pet sitter. Upon exam, the dog had a weight = 15.2 pounds, a temperature = 100.3 degrees, a heart rate = 104bpm and a respiration rate = 24rpm. Respondent noted there were several new minor erythematous areas in the dog's flanks. He discussed with Complainants that since they were going out of town and would have a pet sitter, he recommended treating the dog with Cytopoint and see if the skin issues resolved. If there are still issues, Complainants could increase the Apoquel to twice a day. The dog was administered two, 10mg Cytopoint injections (route unknown).

4. Respondent did not examine or treat the dog again.

5. On April 11, 2019, the dog was presented to Respondent's associate, Dr. Temkin, for a recheck and check ear. Complainants' pet sitter reported that the dog's left ear was red and flakey and the dog was rubbing and pawing at the ear; the dog was also scooting. Dr. Temkin examined the dog; she noted the left eye had slight epiphora, small focal areas of corneal opacities, mild pigment ventral limbus and possible entropion of the lower lid – negative stain uptake. The left ear was flakey on the pinna with mild yellow discharge and inflammation in the canal – cytology showed both yeast and cocci. The dog's skin and coat was noted in good condition and the right anal gland was moderately full.

6. Dr. Temkin's assessment was otitis externa to the left ear, some allergy symptoms present and mild changes to the left eye – healed ulcer, pigmentary keratitis due to exposure, trauma, eyelash, etc. The dog's ear was cleaned and Surolan Otic was prescribed for the left ear. The Apoquel and Optimune were refilled.

7. On April 13, 2019, it was reported that the dog was still scratching and had redness on her abdomen. Dr. Temkin approved the Apoquel to be increased to twice a day for a few days and if no improvement, the dog should be rechecked.



8. On April 15, 2019, the dog was presented by the pet sitter to Dr. Temkin for a recheck. The right ear was now having issues but the abdomen had improved since increasing the Apoquel dose. Upon exam, Dr. Temkin noted the right ear had some mild discharge and inflammation. There was mild erythema of the left inguinal region. She advised starting Surolan Otic in the right ear twice daily for 10 days and to continue the Apoquel, but could increase to 1.5 tablet per day for 7 – 14 days and then back to one tablet once daily.

9. On April 29, 2019, the dog was presented to Dr. Temkin for ongoing pruritus and red abdomen. Complainants were finishing the ear medication, still using Optimmune in both eyes and giving Apoquel 3.6mg once a day. Dr. Temkin noted there were no changes to the eyes, the left ear had some mild flakiness, discharge and inflammation, and the inguinal region was worse with erythema and scales. A skin scraping revealed low numbers of cocci but no obvious ectoparasites. She discussed with Complainants that an underlying allergy such as atopy or food could be the culprit. Dr. Temkin discussed that parasites needed to be ruled out and listed other rule outs such as dermatophytosis. The plan was to treat the pyoderma with antibiotics, do a trial of anti-parasitic medication, and continue Apoquel for allergy symptoms – ear medications were to be continued as well. Referral for allergy testing was also discussed at this visit. The dog was discharged with Simparica, Rilexine, consider referral and recheck in 3 – 4 weeks.

10. On May 1, 2019, Complainants reported the dog was doing better.

11. On July 20, 2019, the dog was presented to Dr. Temkin for a recheck. The redness and pruritus on the abdomen had returned and the left ear was still red. Complainants were no longer giving the Apoquel as they did not feel any improvement after the anti-parasitic trial and was unsure if the Apoquel was helping. They thought the Cytopoint injection had helped in the past. Dr. Temkin examined the dog and noted the left ear had flakey pinna changes with scant discharge and mild redness of the canal. The caudal ventral abdomen had some hyperpigmentation. There were scales and mild erythema along the dorsum. Repeat skin scrape showed low numbers of cocci. Here assessment was ongoing pruritus with skin changes, pyoderma, mild redness of ears and eyes. Dr. Temkin again discussed an underlying allergy was possible or an endocrine issue causing repeated pyoderma and now seborrhea. The dog was administered 20mg Cytopoint and discharged with Rilexine and VetraSeb shampoo. A recheck was recommended in 4 weeks and if the dog was not improving, a diet trial should be considered as well as thyroid testing. A referral to a veterinary dermatologist could also be considered.

12. On August 29, 2019, the dog was presented to Dr. Halsted at Pusch Ridge Pet Clinic for a second opinion for ongoing skin problems. After examining the dog, the dog was diagnosed with Allergic Skin Disease and secondary pyoderma and otitis. Dr. Halstead explained the chronic nature of allergies and that complete resolution is seldom possible. The skin infections and pruritus are secondary to the allergies and explained the diagnostic process involved in trying to determine exactly what the dog was allergic to. He discussed that sometimes underlying endocrine problems such as hypothyroidism can contribute to skin disease.

13. The plan was to treat the current infections with both topical and systemic medication and begin a strict food elimination diet. Complainants understood that the dog could be allergic to other things in her environment and that they could decide how to proceed at the time of a

recheck exam in 3 weeks. Complainants were also made aware of the option of referral to a dermatologist.

14. On September 20, 2019, the dog was presented to Dr. Halstead for a recheck. The dog was improved, not scratching and more engaged with the family. Complainants admitted that some family members may have fed the dog other foods besides the Ultimino diet and that other foods were used to hide the dog's medication. Dr. Halstead stated that the special diet was the only food that the dog could eat for the next 8 weeks. However, the dog was overall significantly improved and would be rechecked in a couple weeks.

### **COMMITTEE DISCUSSION:**

The Committee discussed that skin cases can be difficult, especially atopy allergic dermatitis with or without secondary bacterial or yeast infections. It requires a lot of communication between the pet owner and the care provider. Rechecks are very important and creating realistic expectations are important as well – there is no magic bullet. It is not clear if this was communicated to Complainants.

The Committee also expressed concerns with the use of a strong, potentially damaging eye medication without doing proper diagnostics for dry eye. Optimmune is an immunosuppressant medication that should not be used lightly unless there is a need for it.

The Committee felt the rest of the medical care was sound but had issues with the medical record keeping. It was not clear what was actually being treated. However, the lack of recommending basic blood work to rule out any underlying endocrine issues was also a concern as no amount of Apoquel or Cytopoint would help a hypothyroid dog. Respondent only saw the dog on three visits therefore it seemed reasonable for Respondent to attempt treatment before referring to a dermatologist.

### **COMMITTEE'S PROPOSED CONCLUSIONS of LAW:**

The Committee concluded that possible violations of the *Veterinary Practice Act* occurred.

### **COMMITTEE'S RECOMMENDED DISPOSITION:**

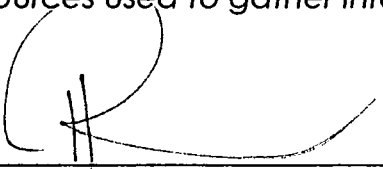
**Motion:** It was moved and seconded the Board find:

*ARS § 32-2232 (21) as it relates to AAC R3-11-502 (L) (5) failure to document the tentative or definitive diagnosis on March 18, 2019, March 25, 2019 and April 4, 2019.*

*ARS § 32-2232 (12) as it relates to AAC R3-11-501 (1) failure to provide professionally acceptable procedures for not performing diagnostics prior to dispensing Optimmune on March 18, 2019.*

**Vote:** The motion was approved with a vote of 4 to 0.

*The information contained in this report was obtained from the case file, which includes the complaint, the respondent's response, any consulting veterinarian or witness input, and any other sources used to gather information for the investigation.*

A handwritten signature in black ink, appearing to be 'TR' with a large loop and a horizontal stroke extending to the right.

---

Tracy A. Riendeau, CVT  
Investigative Division